

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

JAVIER GARZA, on behalf of himself,)
and on behalf of all others similarly)
situated,)
)
 Plaintiff,)
)
v.)
)
FUSION INDUSTRIES, LLC,)
)
 Defendant.)

Case No. CIV-20-336-D

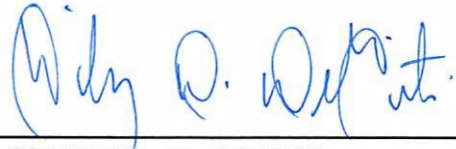
ORDER

Before the Court is Defendant Fusion Industries, LLC's, Motion to Compel [Doc. No. 58], filed pursuant to Fed. R. Civ. P. 37. Upon review of the Motion, the Court finds that it fails to comply with LCvR37.1, which requires all motions relating to discovery to be accompanied by a written certification "that counsel personally have met and conferred in good faith and, after a sincere attempt to resolve differences, have been unable to reach an accord." Where certification is lacking, "this court shall refuse to hear any such motion." *See* LCvR37.1.¹

IT IS THEREFORE ORDERED that Defendant's Motion to Compel Discovery is **DENIED** without prejudice to refiling upon compliance with LCvR37.1.

¹ A personal conference is excused under some circumstances not present here.

IT IS SO ORDERED this 13th day of September, 2022.



TIMOTHY D. DeGIUSTI
Chief United States District Judge